

CCD BULLETIN

Issues in Coastal Community Development

FROM THE FIELD: PRESERVING LAND IN ERIE COUNTY

Once a community has determined which areas it would like to preserve, a strategy is necessary to make that vision a reality. One relatively simple way to protect natural, historical and agricultural areas is a purchase of development rights (PDR), sometimes also referred to as a conservation easement. As with a transfer of development rights (TDR), the landowner retains title to the property, but development rights are limited in perpetuity. The difference is that whereas TDRs are sold to the highest bidder and applied to development in other areas, development rights in a PDR arrangement are typically sold and/or donated to a land trust. The land trust is responsible for monitoring for compliance with the terms of the PDR agreement, and the landowner benefits from a cash payment (for sales), income and estate tax relief (for donations), possible reduction in property taxes, and the reassurance that their land will be protected from unwanted future development.

Dave Skellie, Coastal Land Use and Economic Specialist for Pennsylvania Sea Grant, is a founding member of the Board for the Lake Erie Region Conservancy (LERC), a land trust organization. Dave recently worked with LERC and local landowners to protect a 39-acre tract consisting of two parcels. The acreage is particularly valuable because of its quarter-mile Lake Erie frontage. Although a significant portion of the land is used as a vineyard, it also contains valuable habitat, due especially to its unique two-tiered bluff system. The property is also the site of approximately 30 gravesites dating back to the early nineteenth century. (See map at www.pserie.psu.edu/seagrant/extension/nemo/HolzhausenCreed.pdf.)



Pennsylvania Sea Grant approached the two landowners, who expressed interest in protecting their land while still retaining ownership and the right for one of the landowners to continue to farm an existing 15-acre vineyard. Sea Grant then prepared LERC's application, submitted last October to the Pennsylvania Department of Conservation and Natural Resources' (DCNR) Community Conservation Partnerships Program, requesting nearly \$200,000 to purchase development rights from the two families. Matching funds were provided by the County of Erie, who provided \$100,000 for the effort, and the landowners, who donated the additional calculated value of the development rights, estimated at nearly \$100,000. In addition, the landowners have agreed to provide public access to the bluff areas and shoreline, for guided tours at least twice annually.

DCNR recently awarded the grant to LERC, who will now execute the easement agreement specifying the terms of the sale, including what types of development and other activities will be allowed in the future. The landowners will continue to live on and farm the property, and have the right to lease or sell as they like. However, the terms of the easement will transmit to all future owners of the land.

LERC is now involved in the completion of a Watershed Conservation Plan for the Lake Erie drainage basin, which will guide future preservation efforts for LERC and other organizations.

(For more information, contact Dave Skellie at dus18@psu.edu.)



COMMUNITY TOOL SHED

The Conservation Easement Handbook

www.lta.org/publications/index.html

From the Land Trust Alliance and the Trust for Public Land, this handbook is the definitive resource for developing a conservation easement program to meet local acquisition needs. This new edition offers practical tips and checklists for land trust staff and board members, detailed drafting guidelines for attorneys, and several sample documents on a companion CD-ROM. It also includes guidance specifically for public agency program staff, case studies and references to landmark court decisions. The document is available for purchase (\$40 for LTA members, \$50 for others) at the above URL. A .pdf of the introduction and first chapter is available for download at www.tpl.org/content_documents/CEH_TOC_Ch1_forWEB.pdf.

NEW ORLEANS REVELRY...



Join your CCD colleagues for dinner and after-dinner music at CZ05. We'll meet at 6:00 on Monday, July 18 in the conference hotel lobby, depart for dinner at a renowned eatery (tba) via foot or street car, and play it by ear from there...

Please email amy.zimmerling@noaa.gov if you're interested, so we can reserve a table.

Hope to see you there!



RECOMMENDED READING

Local Greenprinting for Growth

From the Trust for Public Land (in partnership with the National Association of Counties) this newly revised workbook series is a guide for communities seeking to create an open space conservation program. It consists of four volumes: *Using Land Conservation to Guide Growth and Preserve the Character of our Communities*, *Defining a Conservation Vision*, *Securing Conservation Funds*, and *Acquiring and Managing Park and Conservation Land*. Hard copies of the volumes can be purchased (\$15 for one volume, \$40 for all four) or downloaded free of charge at: www.tpl.org/tier3_cd.cfm?content_item_id=10648&folder_id=175

The Economic Benefits of Parks and Open Space: How Land Conservation Helps Communities Grow Smart and Protect the Bottom Line

Also from the Trust for Public Land, this report explains why open space conservation is not an expense but an investment that produces important economic benefits. It presents data and examples that can help leaders and concerned citizens make the economic case for parks and open space conservation, to avert the costs of urban and suburban sprawl and invigorate downtown economies. Download it at: www.tpl.org/tier3_cdl.cfm?content_item_id=1145&folder_id=727

The CCD Bulletin is edited and distributed by the National Sea Grant Office. But for the most meaningful content, we're relying on you. We're especially interested in sharing your stories of successful (or less than successful) coastal community development projects. Please send your suggestions, submissions and insights to: Amy.Zimmerling@noaa.gov.